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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	CASE NOS. 4:21-MJ-70900-MAG-1
	)	4:21-MJ-70900-MAG-2
Plaintiff,	)	4:21-MJ-70900-MAG-3
	)	4:21-MJ-70900-MAG-4
v.	)	4:21-MJ-70900-MAG-8
	)	4:21-MJ-70903-MAG
JAVIER CASTRO BANEGAS-MEDINA,)	
ELMER ROSALES-MONTES,	)	STIPULATION TO CONTINUE STATUS
JOSE IVAN CRUZ-CACERES,	)	HEARINGS AND EXCLUDE TIME FROM
JIHAD JAD TAWASHA,	)	JANUARY 24, 2022 TO FEBRUARY 7, 2022
WILLIAM JOSEPH LAUGHREN, JR.,	)	AND ORDER
)	
Defendants.)	

UNITED STATES OF AMERICA,)
)
Plaintiff,)
v.)
)
KENY ALDUVI ROMERO-LOPEZ,)
)
Defendant.)

It is hereby stipulated by and between counsel for the United States and counsel for the defendants, Javier Castro Banegas-Medina, Elmer Rosales-Montes, Jose Ivan Cruz-Caceres, Jihad Jad

1 Tawasha, William Joseph Laughren, Jr., and Keny Alduvi Romero-Lopez that the status hearings
2 scheduled for January 24, 2022 at 10:00 a.m., be vacated and rescheduled for February 7, 2022 at 10:00
3 a.m. The parties further stipulate that time be excluded under the Speedy Trial Act from January 24,
4 2022, through February 7, 2022, and, with the consent of the defendants, there is good cause for
5 extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1.

6 The government has produced voluminous discovery in the cases. In recent weeks the in-
7 custody defendants have been subject to quarantine and defense counsel needs additional time to discuss
8 the case with the defendants, in connection with a potential resolution of the case. Defense counsel also
9 needs time to review the discovery. For these reasons, the parties request that the status hearings be
10 continued until February 7, 2022, and the government and counsel for the defendants agree that time be
11 excluded under the Speedy Trial Act, and that the deadlines under Federal Rule of Criminal Procedure
12 5.1 be extended, so that defense counsel can continue to prepare, including reviewing the discovery
13 already produced. The parties stipulate and agree that excluding time until February 7, 2022 will allow
14 for the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate
15 and agree that the ends of justice served by excluding the time from January 24, 2022 through February
16 7, 2022 from computation under the Speedy Trial Act outweigh the best interests of the public and the
17 defendants in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

18 The parties further stipulate that, with the consent of the defendants, there is good cause for
19 extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 and for
20 extending the 30-day time period for an indictment under the Speedy Trial Act. *See* Fed. R. Crim. P.
21 5.1; 18 U.S.C. § 3161(b).

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1 The undersigned Assistant United States Attorney certifies that he has obtained approval from
2 counsel for the defendants to file this stipulation and proposed order.

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4 IT IS SO STIPULATED.

5 DATED: January 20, 2022

/s/
NOAH STERN
Assistant United States Attorney

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8 DATED: January 20, 2022

/s/
DENA YOUNG
Counsel for Defendant
JAVIER CASTRO BANEAS-MEDINA

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11 DATED: January 20, 2022

/s/
JEFFREY L. BORNSTEIN
Counsel for Defendant
ELMER ROSALES-MONTES

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15 DATED: January 20, 2022

/s/
SCOTT SUGARMAN
Counsel for Defendant
JOSE IVAN CRUZ-CACERES

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18 DATED: January 20, 2022

/s/
JOHN J. JORDAN
Counsel for Defendant
JIHAD JAD TAWASHA

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21 DATED: January 20, 2022

/s/
CHARLES WOODSON
Counsel for Defendant
WILLIAM JOSEPH LAUGHREN, JR.

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24
25 DATED: January 20, 2022

/s/
ALBERT BORO
Counsel for Defendant
KENY ALDUVI ROMERO-LOPEZ

ORDER

Based upon the facts set forth in the stipulation of the parties and for good cause shown, the Court vacates the status conferences scheduled for January 24, 2022 at 10:00 a.m. relating to the above captioned defendants and reschedules them for February 7, 2022 at 10:00 a.m. The Court further finds that failing to exclude the time from January 24, 2022 through February 7, 2022 would unreasonably deny defense counsel and the defendants the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from January 24, 2022 through February 7, 2022 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendants in a speedy trial. For the same reasons, the Court finds good cause for extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 and for extending the 30-day time period for an indictment under the Speedy Trial Act. *See* Fed. R. Crim. P. 5.1; 18 U.S.C. § 3161. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from January 24, 2022 through February 7, 2022 shall be excluded from computation under the Speedy Trial Act and Federal Rule of Criminal Procedure 5.1. 18 U.S.C. § 3161(h)(7)(A), (B)(iv); Fed. R. Crim. P. 5.1(d).

IT IS SO ORDERED.

DATED: January 20, 2022

